SGI

Personal Auto Injury Insurance

Your Guide to Tort Coverage
2007

driver's licence

basic auto insurance

Your Reference Page

Injury Claim Number _____

Vehicle Damage Claim Number _____

Date of Collision _____
day / month / year

Injury Adjuster

Name _____

Telephone Number _____

Vehicle Damage Claim Adjuster

Name _____

Telephone Number _____

How This Guide Can Help You

If you or a member of your family has been injured in an automobile collision, this guide will help you through the process as you file a claim for benefits under your Personal Auto Injury Tort Coverage. It contains information on the types of benefits you may be eligible to receive, how to fill out the Application for Benefits and more. Even after you've filed your Application for Benefits with SGI, keep this guide on hand throughout your claim for easy reference.

The Role of Your Injury Adjuster

Please remember this booklet is only a guide. Your situation is personal to you. It's not possible for any guide to answer every question specific to your particular situation. That's where our staff can help. If you have a question this guide doesn't answer, contact your Injury Adjuster. They're here to help you through the claims process every step of the way.

Please be assured that your Injury Adjuster will do everything possible to ensure you receive your benefits as soon as possible.

Working together, we'll make sure you get the help you need.

Key Tort Features

Tort Coverage provides a basic package of benefits, regardless of the circumstances of the crash, that will cover many of the expenses you'll have as a result of your injury. And, in many cases, Tort Coverage allows you to sue for additional losses from the people who caused the collision. The key features with Tort Coverage are summarized below.

Right to Sue (p. 5)

- An injured person not responsible for the collision can sue those responsible for expenses above the package of benefits and for pain and suffering.
- Payments for pain and suffering will be reduced by a $5,000 deductible. You don't pay $5,000 – it's simply deducted from your settlement before the settlement is paid.

Income Benefit (p. 8)

- If your injury prevents you from performing all or most of the essential duties of your job, you're entitled to receive a benefit to offset your lost wages.
- The benefit you receive depends on your circumstances at the time of the collision. Homemakers, employed and unemployed people may all be eligible for an income benefit. See the benefits table on page 20 for the amounts payable in each category.

Medical and Rehabilitation Coverage (p. 11)

- SGI will pay for medical and rehabilitation expenses related to your collision up to a maximum amount (see lines 12 and 13 of the benefits table, page 20).

Permanent Impairment Payment (p. 12)

- If you suffer a permanent injury as a result of a motor vehicle collision, you may receive a one-time payment over and above your other benefits.

Death Benefits (p. 13)

- SGI provides a benefit to the spouse and/or dependent children or estate of a person who has died as a result of a motor vehicle collision. You can choose to receive the benefit in a lump sum or in bi-weekly payments.
- SGI also provides a benefit for funeral expenses.

What to Do if You Disagree (p. 15)

- If you don't agree with SGI's decision about who's responsible for the collision or you disagree with a decision SGI has made regarding your entitlement to benefits, you have access to the courts to resolve these matters.

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Your Tort Coverage

Under your Personal Auto Injury Tort Coverage you have access to a basic package of injury benefits regardless of who caused the collision. You also have the opportunity to sue for losses above those benefits, as well as an amount for pain and suffering, from the person responsible for your collision.

You will receive your package of benefits if you're injured in an auto collision anywhere in Canada or the United States. However, your right to sue may be limited in some jurisdictions outside Saskatchewan.

You have two years from the date of your collision to file an injury claim.

Your right to sue

Tort Coverage means you have the right to sue those responsible for your expenses in excess of your package of benefits and for pain and suffering.

Settlements for pain and suffering are subject to a $5,000 deductible. You don't have to pay the $5,000 up front. The settlement you receive is simply reduced by $5,000 before it's paid to you.

Losses above the package of benefits are usually paid by the responsible person's insurance. In most cases, the settlement for losses is negotiated between the injured person or their representative and the responsible person's insurance company. In some cases, an injured person chooses to take his or her case to court. The court will then decide on the amount of compensation. This process is explained further beginning on page 5.

However, there are circumstances where you won't be able to sue. Suing is only an option when there's a responsible party to recover losses from. For example, drivers injured in single-vehicle collisions, drivers injured in collisions with wildlife and drivers that are at fault for an collision will receive the package of benefits only. In those cases, there's no one from which to collect additional losses.

If you wish to sue the responsible party (or parties), you must start a legal action within two years of the date of the collision. In the case of a minor, the legal action must be started within two years after the minor reaches age 18 which is the age of majority in Saskatchewan.

Benefits

Under Tort Coverage, you're entitled to receive a package of benefits, regardless of who caused the collision. These benefits are defined in legislation and will be provided to you even if you're at fault in a collision or have a single-vehicle collision. You will be provided these benefits if you're injured in an automobile collision anywhere in Canada or the United States.

Benefits are provided to offset lost income, for medical expenses and permanent impairment. Death benefits are also provided to spouses and dependants, or to the estate. Please see the corresponding sections in this guide for more information on these benefits and the amounts payable.

Who's covered?

You will receive the Tort package of benefits because you have elected Tort Coverage. Others injured in the same collision will receive injury benefits based on the coverage they've chosen.

Who's not covered?

You won't receive the package of benefits in the following circumstances (except in cases of catastrophic injury or death - see below):

- If you're impaired by alcohol or drugs at the time of the crash.
- If you deliberately use your vehicle to harm another person or property.
- If you're injured while the vehicle you're in is racing or in a speed test.
- If you're injured while the vehicle is being used in an attempt to evade a law enforcement officer.
- If the vehicle is unregistered or you're not qualified or authorized to drive.

In cases of catastrophic injury you'll still receive the full package of benefits, with the following exceptions:

- If you're responsible for the collision and found to be impaired by alcohol or drugs at the time of the crash, you'll be denied a permanent impairment payment.
- If it's your second conviction for impaired driving in the last five years, or you're convicted of deliberately using your vehicle to harm another person or property, you'll be denied both an income benefit and a permanent impairment payment.

If you're not responsible for the crash, you can still sue those responsible for your medical and other expenses in excess of your package of benefits, as well as for pain and suffering.

Filing your claim for benefits

You'll need to complete an Application for Benefits form in order to receive benefits. Please answer all questions in the application that apply to you. The application must be dated, signed and returned to your Injury Adjuster.

Claims must be filed within two years of the date of the collision. However, the sooner you act, the sooner SGI can begin to process your request for benefits to ensure you begin receiving benefits quickly.

Two types of claim forms

There are two types of forms for benefits – one for persons injured (Application for Injury Benefits) and one for fatalities (Application for Death Benefits).

Filling out the form

If you need help answering the questions on a form, please refer to page 16 of this guide.

If your health condition prevents you from completing the form or if you would like assistance, please call your Injury Adjuster, whose name and telephone number are on the inside front cover of this guide. You can also call our office at 775-6000 in Regina or toll free at 1-800-667-9779.

Once you have completed the application, please attach any documents that are required. If you obtain documents needed to process your claim after you've filed your claim with SGI, write your injury claim number on each document and forward them to your Injury Adjuster. Your injury claim number appears on the inside front cover of this guide.

You can mail your completed Application for Benefits to your Injury Adjuster or you can call him or her if you need to discuss your application further.

How will your claim be handled?

Your Injury Adjuster will review your completed Application for Benefits. Based on the information provided, your Injury Adjuster will ensure you receive all the benefits to which you're entitled. The length of time for this assessment can vary, depending on the supporting documentation that's required. It could include a medical practitioner's report form, verification of earnings, etc.

What amount will you receive and how soon?

The package of benefits provided by Tort Coverage is listed on page 20. This table lists maximum benefit amounts payable. Each claim is unique and the amount payable won't be the same for each claim.

Your Injury Adjuster will ensure you receive all the benefit amounts to which you're eligible for as soon as all necessary information is obtained. Your Injury Adjuster will do everything possible to ensure you receive these benefits in a timely manner.

What if you decide to sue?

Most settlements are reached without going to court. However, in some cases the injured person chooses to take his or her case to court if they're not able to reach a settlement with the responsible party's insurance company.

Legal actions (suing) must be started within two years of the collision, except in the case of a minor. The process is explained in the section beginning on page 5 of this guide.

Any settlement for losses will vary widely depending on your circumstances, as will the amount of time needed to settle each case. Sometimes a settlement can be reached months or years after the collision has occurred.

What if you're not satisfied with a decision?

If you're not happy with a decision made by SGI about who's responsible for the collision or your entitlement to benefits, you have access to the courts to settle the matter.

The Right to Sue

Under Tort Coverage, you may be able to sue for losses caused by your collision. There are two general types of losses – economic and non-economic.

Economic loss means a loss of money. The most significant example of this is if you lose income because you're unable to work due to your injury. Another example is if you have medical expenses above the maximum amount payable under the package of benefits (see page 20).

Non-economic loss means non-monetary losses. Settlements for non-economic losses are intended to compensate you for pain and suffering, as well as the things you've lost as a result of your injuries that don't typically have a cash value associated with them. For example, if your injuries have prevented you from playing for your recreational ball team, from doing volunteer work at a local seniors' home or from helping your child learn to ride a bike, you haven't lost money as a result, but the quality of your life has been affected. A pain and suffering payment is intended to help compensate you for those kinds of losses.

The settlement you receive will be reduced by any costs covered by your package of benefits. In an effort to reduce the number of small claims and keep premiums low, Tort Coverage also applies a $5,000 deductible to any pain and suffering payment. That means if you receive a pain and suffering payment, the amount you receive will be reduced by $5,000. So if it's determined you're entitled to a $20,000 pain and suffering payment and you've received $3,000 in permanent impairment benefits, your pain and suffering payment will be reduced by the benefit payments and the $5,000 deductible. You will actually receive $12,000. ($20,000 pain and suffering less $3,000 in benefits and $5,000 deductible = $12,000.)

Most settlements are reached without going to court. However, in some cases the injured person chooses to take his or her case to court if they're unable to reach a settlement with the responsible person's insurance company.

It's important to note that your access to the courts is tied to your own Tort Coverage. In other words, your right to sue is not dependent on whether or not anyone else involved in the collision has Tort Coverage or No Fault Coverage. However, your right to sue is affected by whether or not you're responsible for the collision.

When can you sue?

1) In order for you to sue, there must be a responsible party for you from which to collect losses. Examples of responsible parties include:
   - The driver or owner of another vehicle found to be responsible or partially responsible for the collision.
   - The driver or owner of the vehicle of which you were a passenger, if that driver is found to be responsible for the collision.
   - A negligent party, such as a vehicle manufacturer, if a defect in the vehicle was the cause of the collision.
2) You must start your legal action (file the papers at a courthouse to sue the responsible parties) within two years of the collision. In the case of a minor, the legal action must be started within two years after the minor reaches age 18, which is the age of majority in Saskatchewan.

When can't you sue?

1) You can't sue if there's no responsible person from which to collect losses. Examples of this situation include:

   - You were found at fault for the collision, so you can't sue yourself.
   - You were in a collision with wildlife. If you hit a deer, you can't sue the animal.
   - You were the driver in a single-vehicle crash and there's no one to sue.

2) You can't start a legal action if it's been more than two years since your collision. In the case of a minor, the legal action must be started within two years after the minor reaches age 18, which is the age of majority in Saskatchewan.

When can you be sued?

With Tort Coverage, if it appears you might be responsible for a crash, anyone injured can sue you. The same is true if someone causes a collision while driving a vehicle that you own. How much they can sue you for depends on how badly injured they are and which injury insurance coverage they have (i.e. Tort or No Fault).

In all cases, injured persons can sue you for the difference between their package of auto injury benefits and their actual expenses. They may also be able to sue you for pain and suffering.

Collisions involving people with No Fault Coverage

If you're at fault, a person with No Fault Coverage can't sue you for pain and suffering, unless you were impaired or their injury was a result of an intentional act by you, such as using your vehicle as a weapon. In both of these circumstances, a criminal conviction related to the collision is required.

A person with No Fault Coverage will be able to sue you for economic loss, such as loss of income, that's above the level paid out by No Fault Coverage.

If a No Fault driver is responsible for the collision, you can sue them for expenses in excess of your package of benefits. You can also sue for pain and suffering, but you sue SGI, not the No Fault driver or owner.

Reaching a settlement

Most settlements are reached without going to court. The injured person or their representative is often able to reach a settlement with the responsible person's insurance company. If an agreement can't be reached this way, the person has access to the courts.

If you're at fault

As a Saskatchewan motorist, your licence plate insurance includes $200,000 liability coverage. Every registered Saskatchewan vehicle has at least this coverage. This means that if you're sued, SGI pays the first $200,000 of any claim settlement.

If the amount you're being sued for exceeds the total amount of coverage you have, and a settlement or judgement is obtained which exceeds the amount of coverage you have, the injured person may pursue other avenues to collect their money from you.

If several people were injured in the collision, the $200,000 liability coverage is divided between them.

Extra coverage is available through other insurance plans, such as auto extension insurance (often called a package policy).

If another party is at fault

Saskatchewan's licence plate insurance includes $200,000 liability coverage. Every registered Saskatchewan vehicle has at least this coverage. Extra coverage is available through other insurance plans, such as auto extension insurance. Drivers from other provinces also must have liability insurance.

If several people were injured in the collision, the liability coverage available is divided between them.

If the total amount of losses you're seeking exceeds the total amount of liability coverage available, and a settlement or judgement is obtained which exceeds the amount of the other person's coverage, you may have to pursue other avenues to collect your money from the other person. You may also be able to use your own auto extension insurance.

Factors affecting your settlement

- If you're found to be partially responsible for the collision, your settlement or judgement will be reduced by the percentage to which you were found to be responsible.
- Past and future loss of income is based on your total (gross) income, less income tax, Employment Insurance premiums and Canada Pension Plan contributions that would have been deducted.
- Deductions may be made for any benefits to which you're entitled from any government program or from another public insurance plan.
- Settlements may be reduced by benefits you receive under Tort Coverage.
- Settlements for non-economic loss (pain and suffering) are subject to a $5,000 deductible. **You don't have to pay the $5,000 up front.** The settlement you receive is simply reduced by $5,000 before it's paid to you. The amount awarded for pain and suffering is generally set by a precedent. In other words, you would be offered the same amount as someone who had similar injuries to yours.
- Settlements may be reduced if it can be shown that your actions contributed to your injury or delayed your recovery.
- If you use a lawyer, he or she may charge an hourly fee or take a percentage of your settlement in exchange for his or her services.

The Liability claim process

One of the key elements of Tort Coverage is the ability to recover out of pocket expenses and/or pain and suffering awards from a responsible party. However, the process to do so may take some time.

You may be able to reach a settlement without going to court. You can negotiate a settlement yourself or a representative may negotiate for you. Most settlements are reached this way. However, if you or your representative is unable to reach an agreement with the insurance company, you may choose to take your claim to court.

Legal actions must be started within two years of the collision. In the case of a minor, the legal action must be started within two years after the minor reaches age 18, which is the age of majority in Saskatchewan.

The first step is to file a legal document called a "statement of claim." You can do this yourself, or if you already have a lawyer, he or she can do this for you. If you don't want to pay for a lawyer to help you with your action, you can hire one for the sole purpose of filing the statement of claim.

The amount of time it takes to settle a claim that goes to court can vary from a matter of months to several years.

Income Benefit

If you've been injured in a motor vehicle collision, and that injury prevents you from performing all or most of the essential duties of the job you held at the time of the crash, you're entitled to receive an income benefit.

The income benefit is based on your employment status at the time of your collision and the impact your injuries have on your ability to work. You're eligible for an income benefit if you were employed or a homemaker at the time of the collision. If you were unemployed at the time of the collision, you're eligible for an income benefit if you held employment at some point during the 12 months immediately preceding your crash or your doctor has confined you to a hospital, bed or wheelchair.

Except in cases of the most serious or catastrophic injuries, an income benefit is usually a temporary compensation measure while you recover from your injuries.

When is an income benefit paid?

Income benefits are paid every two weeks and are increased annually by the Consumer Price Index. The benefit will begin seven days after the collision.

If you were employed at the time of the collision

You're eligible for this benefit if you were employed at the time of the collision (permanent, temporary, full-time or part-time). Your injuries also must have disabled you within 20 days following your collision.

Unable to return to work

If your injuries prevent you from performing all of the essential duties of your job, you're eligible for a weekly income benefit amount. The amount payable is shown on line 1 of the benefits table (page 20).

This amount will be paid to you for the length of time you remain unable to return to your job or for two years following your collision – whichever comes first.

If after two years, it's determined that you're unable to ever return to any job, your income benefit will continue for life.

Partially able to work

If your injuries prevent you from performing one or more of the essential duties of your job, you're eligible for a reduced weekly income benefit amount. The amount payable is shown on line 3 of the benefits table (page 20).

This amount will be paid to you until you're able to perform the full duties of your job or for two years following your collision – whichever comes first.

If you were a homemaker at the time of the collision

A homemaker is someone who's not employed and whose primary function is taking care of their household. You're eligible for this benefit if you were a homemaker at the time of the collision. Your crash-related injuries must have disabled you within 20 days following your collision.

Unable to perform household duties

If your injuries prevent you from performing all of your daily household duties, you're eligible for a weekly income benefit amount. The amount payable is shown on line 4 of the benefits table (page 20).

This amount will be paid to you until you're able to perform some or all of your daily household duties or for two years following your collision – whichever comes first.

Partially able to perform household duties

If your injuries prevent you from performing one or more important daily household duty, but you're still able to perform some daily household duties, you're eligible for a reduced weekly income benefit amount. The amount payable is shown on line 5 of the benefits table (page 20).

This amount will be paid to you until you're able to perform your full daily household duties, or for two years following your collision – whichever comes first.

If you were unemployed at the time of the collision

If you were unemployed at the time of the collision, there are three ways in which you may receive an income benefit.

1) You're eligible to receive an income benefit if you were unemployed for the entire 12 months prior to your collision and a medical practitioner has advised that your collision-related injuries will confine you to a hospital, bed or wheelchair. Your injuries must also have disabled you within 20 days following the crash.

The amount payable is shown on line 11 of the benefits table (page 20). This amount will be paid to you until you're no longer confined to a hospital, bed or wheelchair, or for one year following the crash – whichever comes first.

2) You are eligible to receive an income benefit if you were unemployed at the time of the collision, but had held employment for six months or more in the 12 months before the crash in the following circumstances:

- If your collision-related injuries would prevent you from performing all of the essential duties of your previous employment, resulting in your inability to work, you're eligible for a weekly amount (line 6 of the benefits table, page 20).

  This amount will be paid to you until you're able to return to your job (either partially or full time) or for two years following your collision – whichever comes first. If you return to work partially, your income benefit will be reduced.

  If after two years, it's determined that you're unable to ever return to any job, your income benefit will continue until you recover or for life, if necessary.

- If your collision-related injuries would prevent you from performing one or more of the essential duties of your previous employment, you're eligible for a reduced weekly amount (line 8 of the benefits table, page 20).

  This amount will be paid to you until you're able to perform the full duties of your employment, or for two years following your collision – whichever comes first.

3) You're eligible to receive an income benefit if you were unemployed at the time of the collision, but had held employment for less than six of the 12 months preceding your crash in the following circumstances:

- If your collision-related injuries would prevent you from performing all of the essential duties of your previous employment, resulting in your inability to work, you're eligible for the lesser amount of the following:
  - A weekly amount (line 9 of the benefits table, page 20); or
  - The weekly amount obtained by dividing your total earnings in the 12 months immediately preceding your crash by the number of weeks you worked.

  This amount will be paid to you until you're able to return to work or for two years following your collision – whichever comes first.

- If your collision-related injuries would prevent you from performing one or more of the essential duties of your previous employment, but you would be able to work on a full-time or part-time basis, you're eligible for the lesser amount of the following:
  - A reduced weekly amount (line 10 of the benefits table, page 20); or
  - The weekly amount obtained by dividing your total earnings in the 12 months immediately preceding your collision by the number of weeks you worked.

  This amount will be paid to you until you're able to perform the full duties of your employment or for two years following your collision – whichever comes first.

Legal actions

If you earn more than the income benefit provided, and another party is responsible for the collision, you can sue the responsible party for the difference, less taxes, Employment Insurance premiums, Canada Pension Plan contributions and any other payments you've received from other public insurance policies. See page 5 for more information on legal actions.

Medical and Rehabilitation Coverage

SGI will pay for approved medical and rehabilitation expenses related to your collision and recovery to the maximum amount shown on line 13 of the benefits table (page 20). If you've suffered a catastrophic injury, such as quadriplegia, paraplegia, severe brain injury or blindness, the maximum medical and rehabilitation benefit is shown on line 12 of the benefits table (page 20).

Medical expenses

Up to certain limits, SGI will pay your physiotherapist, massage therapist or chiropractor directly for your medical treatment – so you don't have to worry about having cash on hand.

SGI will pay for approved expenses that result from your collision, including:

- Medical and paramedical care (such as ambulance transportation)
- Expenses for travel related to your medical treatment, such as transportation (mileage, bus fare, parking, etc.), accommodations (such as a hotel room) and meals
- Prescription medication
- Braces and wheelchairs
- Physiotherapy, chiropractic, dental services, etc.

Rehabilitation

SGI's role is to pay for your authorized medical treatments, however, it must be evident that the treatments are beneficial to you. For example, you may decide to try massage therapy as part of your rehabilitation. If these treatments don't appear to improve your condition over a period of time, SGI may limit the number of massage therapy treatments it covers.

One rehabilitation option you've access to is the Early Intervention Program. You don't have to participate in the Early Intervention Program to receive your income benefit. If you choose to participate in the program, but later decide it's not right for you, you can leave the program at any time. If you would like more detailed information about this program, talk to your Injury Adjuster.

Other medical and rehabilitation expenses

If you've other expenses related to your medical treatment and recovery that aren't mentioned here, discuss them with your Injury Adjuster to find out if they can be covered.

Legal actions

Under Tort Coverage, you may be able to sue to recover expenses in excess of your medical and rehabilitation benefits. See page 5 for more information on legal actions.

Permanent Impairment Payment

If you sustain a permanent injury as a result of your collision, you may be entitled to a one-time, lump sum payment above your other benefit payments. The permanent impairment could involve injury or weakness to your body or one of your organs. It can be an observable disfigurement or a permanent, measurable reduction of physical or mental function.

Here are a few examples:

- Scarring
- Partial or complete loss of vision or hearing
- Paraplegia
- Loss of range of motion in a joint
- Loss of a limb (amputation)

Soft tissue injuries such as whiplash aren't considered a permanent impairment.

Who decides?

The extent of your impairment and the level of compensation are determined by SGI's medical consultants, using information provided by your caregiver.

Permanent impairment amounts

The more serious and disabling an impairment, the greater the permanent impairment payment will be. Each type of impairment is assigned a percentage value – with the most serious impairments receiving the highest percentages. The amount of the permanent impairment payment is calculated by multiplying the percentage by the maximum amount payable. These amounts are set in regulations and are non-negotiable. The maximum payment is shown on line 15 of the benefits table (page 20).

A higher benefit is available for those who suffer a catastrophic injury, which could include quadriplegia, paraplegia, severe brain injury, total blindness, complete loss of two limbs, as well as combinations of those impairments. The maximum amount payable for this benefit is shown on line 14 of the benefits table (page 20).

Timing of payment

The benefit will be paid to you in a lump sum once the extent of your impairment has been established and once all or most of your treatment is completed. In most cases, we must wait until your injuries have had a chance to heal so that your doctor can assess the extent of the permanent impairment.

Death Benefits

Tort Coverage will provide a death benefit to a spouse and/or dependent children of a person who has died as a result of a motor vehicle collision. Death benefits are also provided when there are no dependants.

Please complete a Death Benefits Application form and submit it with one of the following: a physician's report of death, autopsy report or funeral director's certificate of death. Your Injury Adjuster will assist you.

Funeral expenses

SGI pays for funeral expenses by providing a payment to the deceased's estate. The amount payable is shown on line 19 of the benefits table (page 20).

Spousal death benefit

Who qualifies for a Spousal Death Benefit?

A person will receive a spousal death benefit if, at the time of the collision, he or she was:

- Legally married to the deceased and residing with him or her;
- Living with the deceased as a spouse for at least two years (this includes same-sex spouses); or
- Living with the deceased for at least one year and has a child with him or her.

Spousal Benefit

A spouse is entitled to a Death Benefit equal to 45 per cent of the deceased's net income at the date of the collision. Net income is determined by deducting income tax, Employment Insurance contributions and Canada Pension Plan contributions from the deceased's total (gross) income. The maximum annual income that may be claimed through this benefit is shown on line 16 of the benefits table (page 20).

This benefit is paid every two weeks for the lifetime of the spouse.

The spouse may, within two years of the date of the collision, choose to have this benefit capitalized and paid out as a lump sum. The minimum capitalized amount payable (to provide adequate coverage in cases where the deceased was a low-income or non-earner) is shown on line 17 of the benefits table (page 20).

If you choose to have this benefit paid out in a lump sum, your Injury Adjuster will provide you with a lump sum figure and explain how it was calculated. You may wish to seek the advice of a qualified financial advisor before deciding whether to opt for a lump sum payment or continue receiving payments every two weeks.

Dependant benefits

Dependant Benefit - Spouse

Where a deceased is survived by a spouse and one or more dependent child(ren), an additional death benefit is paid for each dependent child. The weekly dependent child benefit is paid to the spouse, until the youngest child reaches age 21.

A **dependant** is defined as:

- A child of the deceased who was younger than age 21 at the time of the collision and dependent on the deceased for the necessities of life; or
- An unborn child of the deceased.

A spouse is entitled to an additional five per cent of the deceased's net income at the time of the collision for each dependent child. Net income is determined by deducting income tax, Employment Insurance contributions and Canada Pension Plan contributions from the deceased's total (gross) income. The lump sum payout option is also available in these situations. You may wish to seek the advice of a qualified financial advisor before deciding whether to opt for a lump sum payment or continue receiving payments every two weeks.

Dependant Benefit - No Spouse

In cases where both parents (or the sole parent) are killed in a motor vehicle collision, SGI provides the surviving children with the same level of benefits a spouse would have received, until age 21. See line 16 of the benefits table (page 20) for the maximum annual income that may be claimed through this benefit.

Any dependant who receives the bi-weekly spousal death benefit may, within two years of the date of the collision, choose to have this benefit paid out as a lump sum. The minimum amount payable (to provide adequate coverage in cases where the deceased was a low-income or non-earner) is shown on line 17 of the benefits table (page 20).

If you choose to have this benefit paid out in a lump sum, your Adjuster will provide you with a lump sum figure and explain how it was calculated. You may wish to seek the advice of a qualified financial advisor before deciding whether to opt for a lump sum payment or continue receiving payments every two weeks.

No dependants

If the deceased person doesn't leave a spouse or dependants, the estate is entitled to a lump sum payment. The amount payable is shown on line 18 of the benefits table (page 20).

Legal actions

Under Tort Coverage, you may be able to recover economic losses in excess of the Death Benefits, as well as compensation for grief, or loss of care, guidance and companionship. The *Fatal Accidents Act* provides the specific amounts which can be received. See page 5 for more information on legal actions.

What to Do if You Disagree

If you don't agree with SGI's decision on who's responsible for the collision or your entitlement to benefits, you have access to the courts to resolve the matter.

Your Application for Injury Benefits – Tort Coverage

You're about to make a claim for benefits as a result of injuries sustained in a motor vehicle collision. We want to make sure you receive all the benefits to which you're entitled. To do this, we require the detailed information that you're asked to provide in the Application for Injury Benefits form.

SGI assures that all personal information provided in the Application for Benefits, including appendices and schedules, as well as any information gathered later, will remain confidential unless disclosure is required by law. The information you're asked to provide is necessary to assist your Injury Adjuster in determining and providing all the benefits to which you're entitled.

You have two years from the date of your crash to file an injury claim.

Please fill out the Application for Injury Benefits form to the best of your ability. If you have any questions, please consult your Injury Adjuster.

Application for Injury Benefits Cover Page
Please fill in all areas that haven't been completed by your Injury Adjuster. Your claim number and the name of your Injury Adjuster will be entered by your Injury Adjuster.

Personal Information

Question 1
Your current and mailing address (if different) are needed for correspondence.

Question 2
Your home, work and other telephone contact numbers allow us to call to discuss progress on your recovery, make appointments, etc.

Question 3
SGI needs your Saskatchewan Health card number to obtain reports, such as hospital records.

Question 4
Your date of birth is used to determine benefits and for statistical purposes.

Question 5
This information is required to determine who should be attending to your claim, SGI or Workers' Compensation.

Question 6
This information helps determine if additional benefits may be payable through an auto extension (package) policy. Your Injury Adjuster will suggest you speak to your broker.

Collision Circumstances

Question 1
This information helps us understand your injuries.

Question 2
This information is required to help determine collision circumstances.

Question 3
This information assists us in understanding your injury.

Question 4
If a person is injured in a motor vehicle collision, it must by law be reported to police. If you haven't yet taken this step, your Injury Adjuster will ask you to do so.

Question 5
This information helps your Injury Adjuster find out more information about the collision and the other parties involved in the collision.

Questions 6 to 9
Driver, owner and vehicle information is required to verify all vehicles involved in the collision. This information also allows your Injury Adjuster to determine liability, should it become an issue in any benefit entitlement.

Question 10
A good description of the collision will help your Injury Adjuster understand how the collision occurred and how you may have been injured.

About Your Injuries

Question 1
This information helps determine the extent of injuries sustained in the collision.

Question 2
This information helps your Injury Adjuster become familiar with the injury or injuries you may have sustained as well as the location of the injury and pain you may be experiencing.

Question 3
This information helps your Injury Adjuster to further understand your injury.

Question 4
This information is needed so that your Injury Adjuster can understand what occurred after the collision and be aware of additional costs that SGI may pay on your behalf (e.g. ambulance bills).

Question 5
We need to know who are your caregivers and any treatment(s) you've taken to date so we can administer your benefits. Reports may be requested from the caregivers you identify.

Questions 6, 7 and 8
This information helps your Injury Adjuster understand what injuries you sustained and any other problems you may not have identified because of other more serious problems.

Question 9
This information helps your Injury Adjuster determine if benefits are payable for the impact of injuries on your daily activities.

Questions 10 and 11
This information lets your Injury Adjuster know if you had injuries previous to the ones sustained in the collision and whether that injury was affecting you at the time of this collision.

About Your Health

Questions 1 to 4
The information about your prior health helps your caregiver determine what type of treatment plan should be developed.

About Your Work

Questions 1 and 2
This information is needed for your Injury Adjuster to understand the status of your employment, as you may be entitled to income benefits.

Rehabilitation

The Early Intervention Program (EIP) is an optional rehabilitation program. For more information on the EIP, ask your Injury Adjuster.

Designated Primary Practitioner

This information is needed so we know who you've chosen to be in charge of your treatment, if you're participating in the Early Intervention Program.

THE FINAL PAGE IS VERY IMPORTANT FOR YOU TO READ AND UNDERSTAND. AFTER YOU HAVE READ THE PAGE, IT MUST BE DATED AND SIGNED IN THE SPACES PROVIDED, IN THE PRESENCE OF A WITNESS. THE WITNESS CAN BE YOUR INJURY ADJUSTER.

If you've any questions about the final page of the Application for Injury Benefits or any other aspect of this form, please speak to your Injury Adjuster.

Telephone Numbers

For more information on filing your claim, please call 775-6000 in Regina or toll free at 1-800-667-9779.

Table of Benefits

To determine the amount of the benefit you may be entitled to receive, refer to the appropriate section of this Guide.

LINE	BENEFIT	AMOUNT
	Income Benefits	
1	Employed – totally disabled	$330 per week up to two years
2	Employed – totally disabled, unable to return to any job	$330 per week for life
3	Employed – partially disabled	$165 per week up to two years
4	Homemaker – totally disabled	$330 per week up to two years
5	Homemaker – partially disabled	$165 per week up to two years
6	Unemployed/worked six months or more in year prior to collision – totally disabled	$330 per week up to two years
7	Unemployed/worked six months or more in year prior to collision – totally disabled, unable to return to any job	$330 per week for life
8	Unemployed/worked six months or more in year prior to collision – partially disabled	$165 per week up to two years
9	Unemployed/worked less than six months in year prior to collision – totally disabled	$165 maximum per week up to two years
10	Unemployed/worked less than six months in year prior to collision – partially disabled	$83 maximum per week up to two years
11	Unemployed in year prior to collision/confined to hospital, bed or wheelchair	$165 per week up to one year
	Medical and Rehabilitation	
12	Catastrophic injuries	$164,596 maximum
13	Non-catastrophic injuries	$21,940 maximum
	Permanent Impairment	
14	Catastrophic injuries	$142,650 maximum
15	Non-catastrophic permanent injuries	$10,973 maximum
	Death Benefits	
16	Maximum insurable earnings	$65,834 annual income
17	Spouse/Dependants	$49,379 minimum
18	No dependants	$10,973
19	Funeral benefit	$5,486

DISCLAIMER

This document is intended to provide general information on vehicle plate insurance coverage offered by SGI. Nothing in this document is intended to provide legal advice or to be relied upon as binding in any dispute, claim, action, demand or proceeding.

THIS INFORMATION IS SUBJECT TO CHANGE. The terms and conditions of the insurance coverage offered by SGI are set out in *The Automobile Accident Insurance Act* and the following regulations: The Automobile Accident Insurance (General) Regulations, The Personal Injury Benefit Regulations and The Automobile Accident Insurance (Injury) Regulations and are available from the Queen's Printer. Any changes to the insurance coverage in Saskatchewan will be set out in those documents. These documents should be consulted to determine your rights and obligations at law.